

140000398

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 13-0618-4014

ELECTIONS; UNIT A-33 (*Well A33*)
(herein Subject Drilling Unit)

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on July 16, 2013 which was recorded at Document 130001985 in the Office of the Clerk of the Circuit Court of Buchanan County, Virginia, on October 11, 2013, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D.; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit A-33;

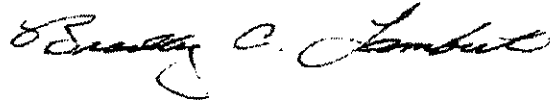
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company 38 E. Valley Drive, Bristol, VA 24201, Attn: Debbie Davis or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 20 day of February, 2014 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

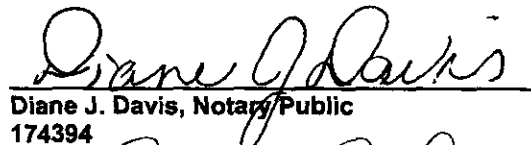
DONE AND PERFORMED this 20 day of February, 2014 by Order of the Virginia Gas and Oil Board.



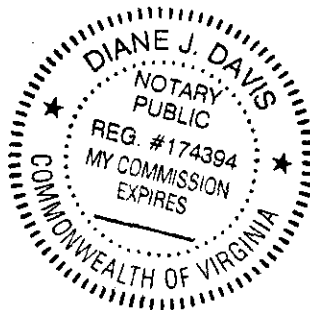
Rick Cooper
Principal Executive to the
staff, Virginia Gas and Oil Board

COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 20th day of FEB, 2014, personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board and Rick Cooper, being duly sworn did depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that they executed the same and was authorized to do so.


Diane J. Davis, Notary Public
174394

My Commission expires: September 30, 2017



VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in Unit A-33
VGOB 13-0618-4014 in the North Grundy/Garden District of Buchanan County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING
ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Land LLC, as a Pooling Supervisor and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator,

That the Order entered on July 16, 2013, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Lebanon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on October 11, 2013;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

Carried Operator (Option 9.3)- Gregory Poulos, Jason Poulos and Pamela Poulos

That respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of July 16, 2013;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia:

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have leased or entered into a voluntary agreement with the Designated Operator:

None

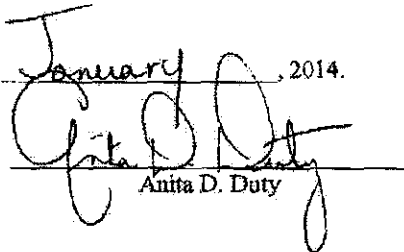
That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

None

That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Bluefield, West Virginia, this 30th day of January, 2014.


Anita D. Duty

STATE OF WEST VIRGINIA
COUNTY OF MERCER

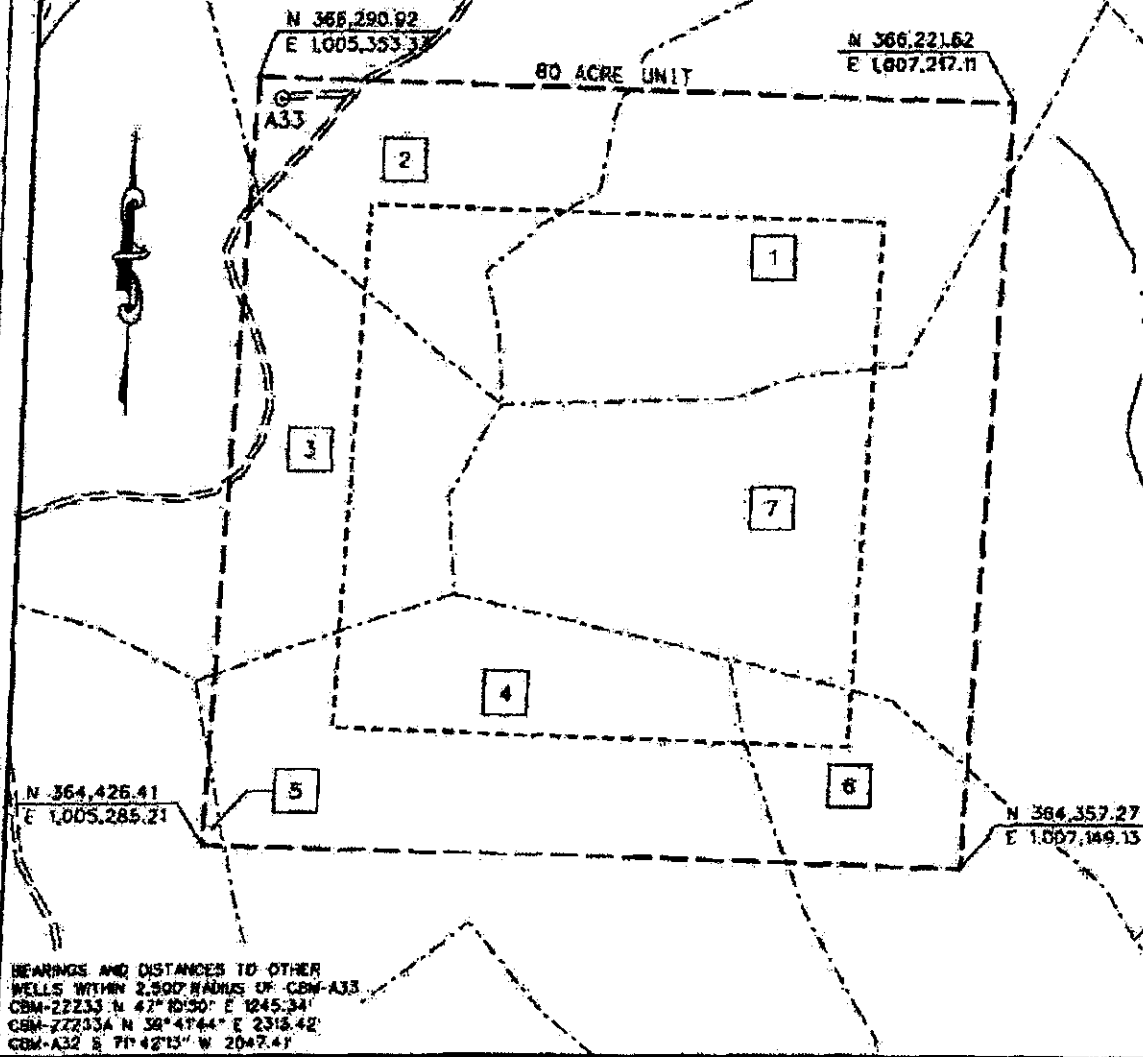
Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Land LLC, on behalf of the corporate Designated Operator, this 30th day of January, 2014.


Notary

My commission expires: April 9, 2023



Property lines shown on this plat were provided by CNX Gas Company LLC and were taken from deed descriptions and chains of title of record. This does not represent a current boundary survey. This certification is on to the size, shape and location of the proposed well.



* CBM WELL
 * PROPOSED CBM WELL

EXHIBIT A
OAKWOOD FIELD
UNIT A33
FORCE POOLING
VGOB-13-0618-4014

Company CNX Gas Company LLC Well Name and Number UNIT A33
 Tract No. _____ Elevation _____ Quadrangle PATTERSON
 County BUCHANAN District GARDEN Scale: 1" = 400' Date _____
 This plat is a new plat X : on updated plat _____

Form DGO-CO-7
 Rev. 9/91 Licensed Professional Engineer or Licensed L

Digitally signed by Stephen E. [Signature]
 CN: CNX, ou:CNX ACES Business
 Department, ou: D. PACE
 SURVEYING INC. PC, cn=Stephen E.
 Medley,
 0.9.2342.1.2.0.0.0.0.100.1.1eA010
 200000017W400E1AF8000857F0

CNX Gas Company LLC
UNIT A33
Tract Identifications

1. LBR Holdings, LLC (36.90 Acre Tract) – All Coal
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Jawbone Seam Leased
 Reserve Coal Properties Company – P-3 Seam Subleased
 Jewell Smokeless Coal Corporation – Coal In Jawbone Seam and Above Leased
 LBR Holdings, LLC, et al – Oil and Gas
 EQT Production Company – Oil, Gas and CBM Leased (75%)
 Unknown Surface Owner
 16.96 acres 21.2000%

2. LBR Holdings, LLC (85.60 Acre Tract) – All Coal
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Jawbone Seam Leased
 Reserve Coal Properties Company – P-3 Seam Subleased
 Jewell Smokeless Coal Corporation – Coal In Jawbone Seam and Above Leased
 LBR Holdings, LLC, et al – Oil and Gas
 EQT Production Company – Oil, Gas and CBM Leased (75%)
 J.G. Belcher, Jr., et al – Surface
 9.42 acres 11.7750%

3. Clift Investment Group, LLC, et al (74.10 Acre Tract) – All Minerals
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased (50%)
 Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 Kim Smith, et al – Surface
 11.38 acres 14.2260%

4. Muriel R. Short, et al (30 Acre Tract) – All Minerals
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Tiller Seam Leased
 Jewell Smokeless Coal Corporation – Tiller and Above Coal Leased
 CNX Gas Company LLC – Oil, Gas and CBM Leased (77.40%)
 Unknown Surface Owner
 16.42 acres 20.5260%

5. LBR Holdings, LLC (211.60 Acre Tract) – All Coal
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Jawbone Seam Leased
 Reserve Coal Properties Company – P-3 Seam Subleased
 Jewell Smokeless Coal Corporation – Coal In Jawbone Seam and Above Leased
 LBR Holdings, LLC, et al – Oil and Gas
 EQT Production Company – Oil, Gas and CBM Leased (75%)
 Kim Smith, et al – Surface
 0.13 acres 0.1625%

6. LBR Holdings, LLC (44.40 Acre Tract) – All Coal
 Island Creek Coal Company/Consol Energy, Inc. – Coal Below Jawbone Seam Leased
 Reserve Coal Properties Company – P-3 Seam Subleased
 Jewell Smokeless Coal Corporation – Coal In Jawbone Seam and Above Leased
 LBR Holdings, LLC, et al – Oil and Gas
 EQT Production Company – Oil, Gas and CBM Leased (75%)
 Unknown Surface Owner
 4.80 acres 6.1250%

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

CNX Gas Company LLC
UNIT A33
Tract Identifications

7. LBR Holdings, LLC (81.80 Acre Tract) - All Coal
Island Creek Coal Company/Consol Energy, Inc. - Coal Below Jawbone Seam Leased
Reserve Coal Properties Company - P-3 Seam Subleased
Jewell Smokeless Coal Corporation - Coal In Jawbone Seam and Above Leased
LBR Holdings, LLC, et al - Oil and Gas
EQT Production Company - Oil, Gas and CBM Leased (75%)
Unknown Surface Owner
20.79 acres 25.9675%

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

Page 2 of 2

May 3, 2013

Exhibit B-3
Unit A-33
Docket # VGOB 13-0618-4014
List of all Unleased Owners/Claimants

I. COAL OWNERSHIP

Tract #4: 16.42 Acres

(1)	Muriel R. Short, et al. (30 Acre Tract)	16.42 acres	20.5250%
(a) Roy Ray Heirs, Devisees, Successors or Assigns (1/2)			
(a.1) Willie Wingo Ray Heirs, Devisees, Successors or Assigns			
(a.1.4)	Stephen Ray PO Box 1580 Lebanon, VA 24266-1580	1.0263 acres 1/16 of 16.42 acres	1.2828% Deemed Leased
(b) George Tolliver Heirs, Devisees, Successors or Assigns <i>(Deceased at time of conveyance)</i>			
(b.1) Lou Tolliver Heirs, Devisees, Successors or Assigns:			
(b.1.2)	Roy Tolliver	<i>Conveyed Interest (DB 263-401)</i>	
(b.1.2.1)	Carol Ellenburg 316 N. High St. Chillicothe, OH 45601	0.3158 acres 1/52 of 16.42 acres	0.3947% Deemed Leased
(b.1.2.2)	James Ellenburg Address Unknown	0.3158 acres 1/52 of 16.42 acres	0.3947% Deemed Leased
(b.1.6) Edna T. Hollandsworth Heirs, Devisees, Successors or Assigns			
(b.1.6.2.3)	Cynthia Rhodes 2308 Wayne Ave., Apt #12 Dayton, OH 45420	0.0789 acres 1/208 of 16.42 acres	0.0987% Deemed Leased
(b.1.6.2.4)	Verna Napier 301 Arms Dr., Apt 4 Fairborn, OH 45324	0.0789 acres 1/208 of 16.42 acres	0.0987% Deemed Leased
(b.1.8) Versa T. Smith Heirs, Devisees, Successors or Assigns			
(b.1.8.1) Phyllis Graves Heirs, Devisees, Successors or Assigns <i>(Deceased at time of conveyance)</i>			
(b.1.8.1.1)	Robert Graves Address Unknown	0.0211 acres 1/780 of 16.42 acres	0.0263% Deemed Leased
(b.1.8.1.2)	James Graves Address Unknown	0.0211 acres 1/780 of 16.42 acres	0.0263% Deemed Leased
(b.1.8.1.3)	Tammy Green Address Unknown	0.0211 acres 1/780 of 16.42 acres	0.0263% Deemed Leased
(b.1.8.1.4)	Charles Robinson Address Unknown	0.0211 acres 1/780 of 16.42 acres	0.0263% Deemed Leased
(b.1.8.1.5)	Bobbie Beakman 2215 Spunk Run Rd. Piketon, OH 45661	0.0211 acres 1/780 of 16.42 acres	0.0263% Deemed Leased

Exhibit B-3
Unit A-33
Docket # VGOB 13-0818-4014
List of all Unleased Owners/Claimants

	Acres in Unit	Percent of Unit	Election
(b.1.8.3) Merrill Smith 2283 Spunk Run Rd. Piketon, OH 45661	0.1053 acres 1/156 of 16.42 acres	0.1316%	Deemed Leased
(b.1.8.6) Roger Smith Heirs, Devisees, Successors or Assigns			
(b.1.8.6.1) Troy Smith Address Unknown	0.0263 acres 1/624 of 16.42 acres	0.0329%	Deemed Leased
(b.1.8.6.2) Terry Smith Address Unknown	0.0263 acres 1/624 of 16.42 acres	0.0329%	Deemed Leased
(b.1.8.6.3) Chrystal Smith Address Unknown	0.0263 acres 1/624 of 16.42 acres	0.0329%	Deemed Leased
(b.1.8.6.4) Todd Smith Address Unknown	0.0263 acres 1/624 of 16.42 acres	0.0329%	Deemed Leased
(b.1.9) Thomas Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.9.1) Evelyn Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.9.1.2) Lou Sena Aldridge 939 S. Hampton Rd. New Carlisle, OH 45344	0.3158 acres 1/52 of 16.42 acres	0.3947%	Deemed Leased
(b.1.11) Opal T. Bowles (aka Opal Rubie) Heirs, Devisees, Successors or Assigns			
(b.1.11.1) Lou Ellen Wilson 726 Buckskin Trail Xenia, OH 45385	0.2105 acres 1/78 of 16.42 acres	0.2631%	Deemed Leased
(b.1.11.2) Cary Bowles 715 Rainbow Forest Dr. Lynchburg, VA 24502	0.2105 acres 1/78 of 16.42 acres	0.2631%	Deemed Leased
(b.1.11.3) Anthony Bowles 2058 Jodora Dr. Urbana, OH 43078	0.2105 acres 1/78 of 16.42 acres	0.2631%	Deemed Leased
(b.1.12) Ruby T. Brewster c/o Teresa Barnhart, POA 12200 Academy Rd, NE Apt 322 Albuquerque, NM 87111	0.6315 acres 1/26 of 16.42 acres	0.7894%	Deemed Leased
(b.1.13) Bertha T. Snyder Heirs, Devisees, Successors or Assigns (Heirs/Address Unknown)	0.6315 acres 1/26 of 16.42 acres	0.7894%	Deemed Leased
<u>TOTAL UNLEASED:</u>			
	Acres in Unit	4.34	
	Percentage of Unit	5.4273%	

II. OIL & GAS OWNERSHIP

Tract #1, 16.96 Acres

(1) LBR Holdings, LLC, et al. (36.90 Acre Tract)	16.96 acres	21.2000%	
(a) LBR Holdings, LLC*** P.O. Box 22427 Lexington, KY 40522-2427	12.72 acres 3/4 of 16.96 acres	15.9000%	Deemed Leased

Exhibit B-3
Unit A-33
Docket # VGOB 13-0818-4014
List of all Unleased Owners/Claimants

	Acres in Unit	Percent of Unit	Election
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.53 acres 1/32 of 16.96 acres	0.6625%	Deemed Leased
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.53 acres 1/32 of 16.96 acres	0.6625%	Deemed Leased
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.53 acres 1/32 of 16.96 acres	0.6625%	Deemed Leased
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.53 acres 1/32 of 16.96 acres	0.6625%	Deemed Leased
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.71 acres 1/24 of 16.96 acres	0.8833%	Carried Operator
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.71 acres 1/24 of 16.96 acres	0.8833%	Carried Operator
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.71 acres 1/24 of 16.96 acres	0.8833%	Carried Operator

*** Note: EQT Production Company has leased the Oil, Gas & CBM estates.

Tract #2, 9.42 Acres

(1) LBR Holdings, LLC, et al. (36.90 Acre Tract)	9.42 acres	11.7750%	
(a) LBR Holdings, LLC*** P.O. Box 22427 Lexington, KY 40522-2427	7.07 acres 3/4 of 9.42 acres	8.8313%	Deemed Leased
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.29 acres 1/32 of 9.42 acres	0.3680%	Deemed Leased
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.29 acres 1/32 of 9.42 acres	0.3680%	Deemed Leased
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.29 acres 1/32 of 9.42 acres	0.3680%	Deemed Leased
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.29 acres 1/32 of 9.42 acres	0.3680%	Deemed Leased
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.39 acres 1/24 of 9.42 acres	0.4906%	Carried Operator
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.39 acres 1/24 of 9.42 acres	0.4906%	Carried Operator
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.39 acres 1/24 of 9.42 acres	0.4906%	Carried Operator

*** Note: EQT Production Company has leased the Oil, Gas & CBM estates.

Exhibit B-3
Unit A-33
Docket # VGOB 13-0616-4014
List of all Unleased Owners/Claimants

	Acres in Unit	Percent of Unit	Election
Tract #4, 16.42 Acres			
(1) Muriel R. Short, et al. (30 Acre Tract)	16.42 acres	20.5250%	
(a) Roy Ray Heirs, Devisees, Successors or Assigns (1/2)			
(a.1) Willie Wingo Ray Heirs, Devisees, Successors or Assigns			
(a.1.4) Stephen Ray PO Box 1580 Lebanon, VA 24266-1580	1.0263 acres 1/16 of 16.42 acres	1.2828%	Deemed Leased
(b) George Tolliver Heirs, Devisees, Successors or Assigns			
(b.1) Lou Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.2) Roy Tolliver	Conveyed Interest (DB 263-401)		
(b.1.2.1) Carol Ellenburg 316 N. High St. Chillicothe, OH 45601	0.3158 acres 1/52 of 16.42 acres	0.3947%	Deemed Leased
(b.1.2.2) James Ellenburg Address Unknown	0.3158 acres 1/52 of 16.42 acres	0.3947%	Deemed Leased
(b.1.6) Edna T. Hollandsworth Heirs, Devisees, Successors or Assigns			
(b.1.6.2) Vernon Mays Heirs, Devisees, Successors or Assigns			
(b.1.6.2.3) Cynthia Rhodes 2308 Wayne Ave., Apt #12 Dayton, OH 45420	0.0789 acres 1/208 of 16.42 acres	0.0987%	Deemed Leased
(b.1.6.2.4) Verna Napier 301 Arms Dr., Apt 4 Fairborn, OH 45324	0.0789 acres 1/208 of 16.42 acres	0.0987%	Deemed Leased
(b.1.8) Varsa T. Smith Heirs, Devisees, Successors or Assigns			
(b.1.8.1) Phyllis Graves Heirs, Devisees, Successors or Assigns			
(b.1.8.1.1) Robert Graves Address Unknown	0.0211 acres 1/780 of 16.42 acres	0.0263%	Deemed Leased
(b.1.8.1.2) James Graves Address Unknown	0.0211 acres 1/780 of 16.42 acres	0.0263%	Deemed Leased
(b.1.8.1.3) Tammy Green Address Unknown	0.0211 acres 1/780 of 16.42 acres	0.0263%	Deemed Leased
(b.1.8.1.4) Charles Robinson Address Unknown	0.0211 acres 1/780 of 16.42 acres	0.0263%	Deemed Leased
(b.1.8.1.5) Bobbie Beakman 2215 Spunk Run Rd. Piketon, OH 45661	0.0211 acres 1/780 of 16.42 acres	0.0263%	Deemed Leased

Exhibit B-3
Unit A-33
Docket # VGOB 13-0618-4014
List of all Unleased Owners/Claimants

	Acres in Unit	Percent of Unit	Election
(b.1.8.3) Merrill Smith 2283 Spunk Run Rd. Piketon, OH 45661	0.1053 acres 1/156 of 16.42 acres	0.1316%	Deemed Leased
(b.1.8.6) Roger Smith Heirs, Devisees, Successors or Assigns			
(b.1.8.6.1) Troy Smith Address Unknown	0.0263 acres 1/624 of 16.42 acres	0.0329%	Deemed Leased
(b.1.8.6.2) Terry Smith Address Unknown	0.0263 acres 1/624 of 16.42 acres	0.0329%	Deemed Leased
(b.1.8.6.3) Chrystal Smith Address Unknown	0.0263 acres 1/624 of 16.42 acres	0.0329%	Deemed Leased
(b.1.8.6.4) Todd Smith Address Unknown	0.0263 acres 1/624 of 16.42 acres	0.0329%	Deemed Leased
(b.1.9) Thomas Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.9.1) Evalyn Tolliver Heirs, Devisees, Successors or Assigns			
(b.1.9.1.2) Lou Sena Aidridge 939 S. Hampton Rd. New Carlisle, OH 45344	0.3158 acres 1/52 of 16.42 acres	0.3947%	Deemed Leased
(b.1.11) Opal T. Bowles (aka Opal Ruble) Heirs, Devisees, Successors or Assigns			
(b.1.11.1) Lou Ellen Wilson 726 Buckskin Trail Xenia, OH 45385	0.2105 acres 1/78 of 16.42 acres	0.2631%	Deemed Leased
(b.1.11.2) Cary Bowles 715 Rainbow Forest Dr. Lynchburg, VA 24502	0.2105 acres 1/78 of 16.42 acres	0.2631%	Deemed Leased
(b.1.11.3) Anthony Bowles 2058 Jodora Dr. Urbana, OH 43078	0.2105 acres 1/78 of 16.42 acres	0.2631%	Deemed Leased
(b.1.12) Ruby T. Brewster c/o Teresa Barnhart, POA 12200 Academy Rd, NE Apt 322 Albuquerque, NM 87111	0.6315 acres 1/26 of 16.42 acres	0.7894%	Deemed Leased
(b.1.13) Bertha T. Snyder Heirs, Devisees, Successors or Assigns (Heirs/Address Unknown)	0.6315 acres 1/26 of 16.42 acres	0.7894%	Deemed Leased

Tract #5, 0.13 Acres

(1) LBR Holdings, LLC, et al. (36.90 Acre Tract)	0.13 acres	0.1625%	
(a) LBR Holdings, LLC*** P.O. Box 22427 Lexington, KY 40522-2427	0.098 acres 3/4 of 0.13 acres	0.1219%	Deemed Leased
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.004 acres 1/32 of 0.13 acres	0.0051%	Deemed Leased
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.004 acres 1/32 of 0.13 acres	0.0051%	Deemed Leased

Exhibit B-3
Unit A-33
Docket # VGOB 13-0618-4014
List of all Unleased Owners/Claimants

	Acres in Unit	Percent of Unit	Election
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.004 acres 1/32 of 0.13 acres	0.0051%	Deemed Leased
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.004 acres 1/32 of 0.13 acres	0.0051%	Deemed Leased
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.005 acres 1/24 of 0.13 acres	0.0068%	Carried Operator
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.005 acres 1/24 of 0.13 acres	0.0068%	Carried Operator
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.005 acres 1/24 of 0.13 acres	0.0068%	Carried Operator

*** Note: EQT Production Company has leased the Oil, Gas & CBM estates.

Tract #6, 4.90 Acres

(1) LBR Holdings, LLC, et al. (44.40 Acre Tract)	4.90 acres	6.1250%	
(a) LBR Holdings, LLC*** P.O. Box 22427 Lexington, KY 40522-2427	3.68 acres 3/4 of 4.90 acres	4.5938%	Deemed Leased
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.15 acres 1/32 of 4.90 acres	0.1914%	Deemed Leased
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.15 acres 1/32 of 4.90 acres	0.1914%	Deemed Leased
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.15 acres 1/32 of 4.90 acres	0.1914%	Deemed Leased
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.15 acres 1/32 of 4.90 acres	0.1914%	Deemed Leased
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.20 acres 1/24 of 4.90 acres	0.2552%	Carried Operator
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.20 acres 1/24 of 4.90 acres	0.2552%	Carried Operator
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.20 acres 1/24 of 4.90 acres	0.2552%	Carried Operator

*** Note: EQT Production Company has leased the Oil, Gas & CBM estates.

Tract #7, 20.79 Acres

(1) LBR Holdings, LLC, et al. (44.40 Acre Tract)	20.79 acres	25.9875%	
(a) LBR Holdings, LLC*** P.O. Box 22427 Lexington, KY 40522-2427	15.59 acres 3/4 of 20.79 acres	19.4906%	Deemed Leased

Exhibit B-3
Unit A-33
Docket # VGOB 13-0618-4014
List of all Unleased Owners/Claimants

	Acres in Unit	Percent of Unit	Election
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.65 acres 1/32 of 20.79 acres	0.8121%	Deemed Leased
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.65 acres 1/32 of 20.79 acres	0.8121%	Deemed Leased
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.65 acres 1/32 of 20.79 acres	0.8121%	Deemed Leased
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.65 acres 1/32 of 20.79 acres	0.8121%	Deemed Leased
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.87 acres 1/24 of 20.79 acres	1.0828%	Carried Operator
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.87 acres 1/24 of 20.79 acres	1.0828%	Carried Operator
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.87 acres 1/24 of 20.79 acres	1.0828%	Carried Operator

*** Note: EQT Production Company has leased the Oil, Gas & CBM estates.

TOTAL UNLEASED:

Acres in Unit	56.54
Percentage of Unit	70.6773%

Exhibit E
Unit A-33
Docket # VGDB 13-0618-4014
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
<u>Tract #1, 16.96 Acres</u>		
<i>Only 1/4 interest should be escrowed due to conflicting CBM claim</i>		
<u>COAL OWNERSHIP</u>		
(1) LBR Holdings, LLC P.O. Box 22427 Lexington, KY 40522-2427 (36.90 Acre Tract)	16.96 acres 4.24 acres 1/4 of 16.96 acres	21.2000% 5.3000%
<u>OIL & GAS OWNERSHIP</u>		
(1) LBR Holdings, LLC, et al. (36.90 Acre Tract)	16.96 acres	21.2000%
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.53 acres 1/32 of 16.96 acres	0.6625%
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.53 acres 1/32 of 16.96 acres	0.6625%
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.53 acres 1/32 of 16.96 acres	0.6625%
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.53 acres 1/32 of 16.96 acres	0.6625%
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.71 acres 1/24 of 16.96 acres	0.8833%
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.71 acres 1/24 of 16.96 acres	0.8833%
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.71 acres 1/24 of 16.96 acres	0.8833%

Tract #2, 9.42 Acres

Only 1/4 interest should be escrowed due to conflicting CBM claim

COAL OWNERSHIP

(1) LBR Holdings, LLC P.O. Box 22427 Lexington, KY 40522-2427 (85.50 Acre Tract)	9.42 acres 2.36 acres 1/4 of 9.42 acres	11.7750% 2.9438%
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OIL & GAS OWNERSHIP

(1) LBR Holdings, LLC, et al. (85.50 Acre Tract)	9.42 acres	11.7750%
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.29 acres 1/32 of 9.42 acres	0.3680%
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.29 acres 1/32 of 9.42 acres	0.3680%

Exhibit E
Unit A-33
Docket # VGOB 13-0618-4014
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.29 acres 1/32 of 9.42 acres	0.3680%
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.29 acres 1/32 of 9.42 acres	0.3680%
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.39 acres 1/24 of 9.42 acres	0.4906%
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.39 acres 1/24 of 9.42 acres	0.4906%
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.39 acres 1/24 of 9.42 acres	0.4906%

Tract #4, 16.42 Acres

Escrow due to Unknown/Unlocatable

(1) Muriel R. Short, et al (30 Acre Tract)	16.42 acres	20.5250%
(b) George Tolliver Heirs, Devisees, Successors or Assigns <i>(This interest is being sold by DB 263-401)</i>		
(b.1) Lou Tolliver Heirs, Devisees, Successors or Assigns		
(b.1.2) Roy Tolliver	<i>Conveyed interest (DB 263-401)</i>	
(b.1.2.2) James Ellenburg Address Unknown	0.3158 acres 1/52 of 16.42 acres	0.3947%
(b.1.6) Edna T. Hollandsworth Heirs, Devisees, Successors or Assigns		
(b.1.6.2) Vernon Hays Heirs, Devisees, Successors or Assigns		
(b.1.6.2.3) Cynthia Rhodes 2308 Wayne Ave., Apt #12 Dayton, OH 45420 <i>(b.1.6.2.3) Conveyed interest, DB 263-401</i>	0.0789 acres 1/208 of 16.42 acres	0.0987%
(b.1.6.2.4) Yama Napier 301 Arms Dr., Apt 4 Fairborn, OH 45324 <i>(b.1.6.2.4) Conveyed interest, DB 263-401</i>	0.0789 acres 1/208 of 16.42 acres	0.0987%
(b.1.8) Versa T. Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.1) Phyllis Graves Heirs, Devisees, Successors or Assigns <i>(b.1.8.1) Conveyed interest, DB 263-401</i>		
(b.1.8.1.1) Robert Graves Address Unknown	0.0211 acres 1/780 of 16.42 acres	0.0263%
(b.1.8.1.2) James Graves Address Unknown	0.0211 acres 1/780 of 16.42 acres	0.0263%
(b.1.8.1.3) Tammy Green Address Unknown	0.0211 acres 1/780 of 16.42 acres	0.0263%

Exhibit E
Unit A-33
Docket # VGOB 13-0618-4014
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
(b.1.8.1.4) Charles Robinson Address Unknown	0.0211 acres 1/780 of 16.42 acres	0.0263%
(b.1.8.2) Lloyd Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.2.1.3) Jody J. Smith 1302 Red Bridge Rd. Peebles, OH 45680	0.0351 acres 1/468 of 16.42 acres	0.0439%
(b.1.8.6) Roger Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.6.1) Troy Smith Address Unknown	0.0263 acres 1/624 of 16.42 acres	0.0329%
(b.1.8.6.2) Terry Smith Address Unknown	0.0263 acres 1/624 of 16.42 acres	0.0329%
(b.1.8.6.3) Chrystal Smith Address Unknown	0.0263 acres 1/624 of 16.42 acres	0.0329%
(b.1.8.6.4) Todd Smith Address Unknown	0.0263 acres 1/624 of 16.42 acres	0.0329%
(b.1.11) Opal T. Bowles (aka Opal Ruble) Heirs, Devisees, Successors or Assigns		
(b.1.11.2) Cary Bowles 715 Rainbow Forest Dr. Lynchburg, VA 24502	0.2105 acres 1/78 of 16.42 acres	0.2631%
(b.1.13) Bertha T. Snyder Heirs, Devisees, Successors or Assigns (Heirs/Address Unknown)	0.6315 acres 1/26 of 16.42 acres	0.7894%

OIL & GAS OWNERSHIP

(f) Muriel R. Short, et al (30 Acre Tract)	16.42 acres	20.5250%
(b) George Tolliver Heirs, Devisees, Successors or Assigns		
(b.1) Lou Tolliver Heirs, Devisees, Successors or Assigns		
(b.1.2) Roy Tolliver	Conveyed interest (DB 263-401)	
(b.1.2.2) James Ellenburg Address Unknown	0.3158 acres 1/52 of 16.42 acres	0.3947%
(b.1.6) Edna T. Hollandsworth Heirs, Devisees, Successors or Assigns		
(b.1.6.2) Vernon Hays Heirs, Devisees, Successors or Assigns		
(b.1.6.2.3) Cynthia Rhodes 2308 Wayne Ave., Apt #12 Dayton, OH 45420	0.0789 acres 1/208 of 16.42 acres	0.0987%
(b.1.6.2.4) Verna Napier 301 Arms Dr., Apt 4 Fairborn, OH 45324	0.0789 acres 1/208 of 16.42 acres	0.0987%

Exhibit E
Unit A-33
Docket # VGOB 13-0618-4014
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
(b.1.8) Versa T. Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.1) Phyllis Graves Heirs, Devisees, Successors or Assigns		
(b.1.8.1.1) Robert Graves Address Unknown	0.0211 acres 1/780 of 16.42 acres	0.0263%
(b.1.8.1.2) James Graves Address Unknown	0.0211 acres 1/780 of 16.42 acres	0.0263%
(b.1.8.1.3) Tammy Green Address Unknown	0.0211 acres 1/780 of 16.42 acres	0.0263%
(b.1.8.1.4) Charles Robinson Address Unknown	0.0211 acres 1/780 of 16.42 acres	0.0263%
(b.1.8.2) Lloyd Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.2.1) Jannet Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.2.1.3) Jody J. Smith 1302 Red Bridge Rd. Peebles, OH 45660	0.0351 acres 1/468 of 16.42 acres	0.0439%
(b.1.8.6) Roger Smith Heirs, Devisees, Successors or Assigns		
(b.1.8.6.1) Troy Smith Address Unknown	0.0263 acres 1/624 of 16.42 acres	0.0329%
(b.1.8.6.2) Terry Smith Address Unknown	0.0263 acres 1/624 of 16.42 acres	0.0329%
(b.1.8.6.3) Chrystal Smith Address Unknown	0.0263 acres 1/624 of 16.42 acres	0.0329%
(b.1.8.6.4) Todd Smith Address Unknown	0.0263 acres 1/624 of 16.42 acres	0.0329%
(b.1.11) Opal T. Bowles (aka Opal Ruble) Heirs, Devisees, Successors or Assigns		
(b.1.11.2) Cary Bowles 715 Rainbow Forest Dr. Lynchburg, VA 24502	0.2105 acres 1/78 of 16.42 acres	0.2631%
(b.1.13) Bertha T. Snyder Heirs, Devisees, Successors or Assigns (Heirs/Address Unknown)	0.6316 acres 1/26 of 16.42 acres	0.7894%

Tract #5, 0.13 Acres

Only 1/4 interest should be escrowed due to conflicting CBM claim

COAL OWNERSHIP

(1) LBR Holdings, LLC P.O. Box 22427 Lexington, KY 40522-2427 (211.80 Acre Tract)	0.13 acres 0.033 acres 1/4 of 0.13 acres	0.1625% 0.0406%
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Exhibit E
Unit A-33
Docket # VGOB 13-0818-4014
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
<u>OIL & GAS OWNERSHIP</u>		
(1) LBR Holdings, LLC, et al. (211.80 Acre Tract)	0.13 acres	0.1625%
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.004 acres 1/32 of 0.13 acres	0.0051%
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.004 acres 1/32 of 0.13 acres	0.0051%
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.004 acres 1/32 of 0.13 acres	0.0051%
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.004 acres 1/32 of 0.13 acres	0.0051%
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.005 acres 1/24 of 0.13 acres	0.0068%
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.005 acres 1/24 of 0.13 acres	0.0068%
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.005 acres 1/24 of 0.13 acres	0.0068%

Tract #6, 4.90 Acres

Only 1/4 interest should be escrowed due to conflicting CBM claim

COAL OWNERSHIP

(1) LBR Holdings, LLC P.O. Box 22427 Lexington, KY 40522-2427 (44.40 Acre Tract)	4.90 acres 1.23 acres 1/4 of 4.90 acres	6.1250% 1.5313%
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OIL & GAS OWNERSHIP

(1) LBR Holdings, LLC, et al. (44.40 Acre Tract)	4.90 acres	6.1250%
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.15 acres 1/32 of 4.90 acres	0.1914%
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.15 acres 1/32 of 4.90 acres	0.1914%
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.15 acres 1/32 of 4.90 acres	0.1914%
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.15 acres 1/32 of 4.90 acres	0.1914%
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.20 acres 1/24 of 4.90 acres	0.2552%

Exhibit E
Unit A-33
Docket # VGOB 13-0618-4014
List of Conflicting Owners/Claimants that require escrow

	Acres in Unit	Percent of Unit
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.20 acres 1/24 of 4.90 acres	0.2552%
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.20 acres 1/24 of 4.90 acres	0.2552%

Tract #7, 20.79 Acres

Only 1/4 interest should be escrowed due to conflicting CBM claim

COAL OWNERSHIP

(1) LBR Holdings, LLC P.O. Box 22427 Lexington, KY 40522-2427 (81.80 Acre Tract)	20.79 acres 5.20 acres 1/4 of 20.79 acres	25.9875% 6.4969%
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OIL & GAS OWNERSHIP

(1) LBR Holdings, LLC, et al. (81.80 Acre Tract)	20.79 acres	25.9875%
(b) T.G. Rogers, III 3014 Shalford Lane Matthews, NC 28104	0.65 acres 1/32 of 20.79 acres	0.8121%
(c) Derek Browning Rogers 2300 Carmel Road Charlotte, NC 28226	0.65 acres 1/32 of 20.79 acres	0.8121%
(d) Kevin Rogers 139 Wickham Rd. Garden City, NY 11530	0.65 acres 1/32 of 20.79 acres	0.8121%
(e) Shaun Rogers 121 NE 100th St. Miami Shores, FL 32907-2423	0.65 acres 1/32 of 20.79 acres	0.8121%
(f) Gregory Poulos 1894 Glenwood St., SE Palm Bay, FL 32907-2423	0.87 acres 1/24 of 20.79 acres	1.0828%
(g) Jason Poulos 10870 SW 95 St. Miami, FL 33176	0.87 acres 1/24 of 20.79 acres	1.0828%
(h) Pamela Poulos 5000 SW 83rd St. Miami, FL 33143-8510	0.87 acres 1/24 of 20.79 acres	1.0828%

TOTAL CONFLICTS:

Acres in Unit	14.59
Percentage of Unit	18.2376%

INSTRUMENT #140000398
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
MARCH 17, 2014 AT 02:46PM
BEVERLY S. TILLER, CLERK
RECORDED BY: GBB